David W. Belin, Warren Commission Lawyer, Dies at 70

By ERIC PACE

David W. Belin, a lawyer for the Warren Commission, which investigated the Kennedy assassination, and for the Rockefeller Commission, which looked at Central Intelligence Agency activities, died yesterday at St. Mary's Hospital of the Mayo Clinic in Rochester, Minn. He was 70 and lived in Windsor Heights, Iowa, and on the East Side of Manhattan.

The cause was head injuries sustained in a fall in his hotel room in Rochester, where he had gone for his annual physical checkup at the Mayo Clinic, said Michael Gartner, the editor of The Tribune in Ames, Iowa. After the fall, Mr. Belin was in a coma for 12 days.

Mr. Belin (pronounced "BELL-in") was a co-owner of The Tribune with Mr. Gartner, a former president of NBC News, and of other Midwestern publications. At his death, he was the senior partner in the Des Moines law firm Belin Lamson McCormick Zumbach Flynn. He worked in various areas of the law, including corporate law, litigation and estate law. In New York, he served as an adviser to wealthy families.

He was described, in an editorial written for today's issue of The Tribune, as "a moderate Republican who had no use for the far right of his party or the far left of the Democratic Party."

Mr. Belin was appointed by Chief Justice Earl Warren in 1964 to be assistant counsel to the Warren Commission, whose formal name was the President's Commission to Report Upon the Assassination of President Kennedy. The commission was created by executive order of President Lyndon B. Johnson and given broad powers.

Mr. Belin concluded that Lee Harvey Oswald had worked entirely on his own as the President's assassin, and the commission's main finding was that speculation that conspirators or Government elements were involved in the killing was false. In its final report, the commission affirmed that Mr. Oswald had acted on his own.

In later years, Mr. Belin defended his work against those who criticized the investigation of the President's death, and his writings included two books about the assassination. The truth, he liked to say, was all that was sought, and he remained adamant in his conviction that the truth had indeed been determined.

The Tribune editorial said: "He was sure — more sure than he was of anything else — that Lee Harvey Oswald acted alone when he killed John F. Kennedy on that awful day in Dallas in 1963. He would argue the minutest detail with anyone who challenged him, and he would excoriate Oliver Stone and others who preached of conspiracies. That issue could make his blood boil."

In an article in The New York Times Magazine in 1988, Mr. Belin declared: "The truth is that Lee Harvey Oswald was the lone gunman who murdered President John F. Kennedy and Dallas Police Officer J. D. Tippit on that tragic Friday afternoon in Dallas." But he went on to acknowledge that, as he put it, "25 years after the event, a majority of the American public does not believe the truth. Rather, polls have shown that most Americans believe President Kennedy was assassinated as an outgrowth of a conspiracy."

In 1975, Mr. Belin was appointed by President Gerald R. Ford, who had been a member of the Warren Commission, to be executive director of Vice President Nelson A. Rockefeller's Commission on C.I.A. Activities Within the United States, which became informally known as the Rockefeller Commission.

While serving on the commission's staff, Mr. Belin learned of extensive Government plots to kill the Cuban leader Fidel Castro. He proposed a Congressional investigation to examine "whether or not there is any credible evidence of a foreign conspiracy."

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David W. Belin

"The Warren Commission found none," he said, "but the Warren Commission did not have any information concerning the C.I.A. assassination plots."

Around that time a Senate select committee issued a 347-page report declaring that United States officials had "instigated" plots to kill two foreign leaders and had known about or supported the overthrow of three others that had resulted in their deaths. The report found no evidence that the C.I.A. had carried out any assassinations.

The Rockefeller Commission report found that on the day President Kennedy was killed, the C.I.A. was equipping an operative, code-named Am/Lash, with a poison pen device to kill Mr. Castro.

Over the years, Mr. Belin was involved in various nonprofit and business activities. He was involved as an investor, along with Dow Jones & Company, in an unsuccessful bid for the purchase of the Des Moines Register and Tribune Company in 1984.

He was also active for many years in Jewish community activities. He established the Jewish Outreach Institute in 1987 after serving as chairman of the Union of American Hebrew Congregations' outreach commission.

Mr. Belin was born in Washington and raised largely in Sioux City, Iowa. After serving in the Army in Korea and Japan, he received a bachelor's degree in 1951, a master's degree in business in 1953 and a law degree in 1954, all from the University of Michigan. He began practicing law in Des Moines in 1954.

He married Constance Newman in 1952. She died in 1980.

Mr. Belin is survived by his wife, Barbara Ross Belin, whom he married in 1992; three sons, Jonathan, of Pembroke Pines, Fla., James, of Phoenix, and Thomas, of Santa Monica, Calif.; two daughters, Joy Belin of Chevy Chase, Md., and Laura Belin of London; one grandchild; a stepson, Lee Ross of Sydney, Australia; and a stepdaughter, Jenifer Ross Schumacher of Tarrytown, N.Y.

While Mr. Belin lay in a coma in his last days, a friend, visiting him, sought to appraise how ill he really was. He held Mr. Belin's hand, watched his face hopefully and, after a preliminary remark, said, "David, I think there was a conspiracy to kill John F. Kennedy." The friend was grieved when, for once, Mr. Belin gave no rebuttal.